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**Subject:** The Morning Headlines from InsideEPA.com -- April 22, 2019



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**REDEFINING EPA: Overhauling an agency and its mission -- Complete coverage**

April 22, 2019

#### Latest News

##### **Industries Float Legal Defenses For CWA Rule, Urge EPA To Narrow Scope**

Industry groups are offering legal defenses for EPA's proposal to narrow its Clean Water Act (CWA) jurisdiction standard compared to an Obama-era rule on the law's reach, but they are also urging the agency to restrict jurisdiction even further than planned by placing new limits on regulating "traditional navigable waters" (TNWs).

##### **9th Circuit Orders EPA To Answer Objections To Chlorpyrifos Ban Reversal**

A federal appellate court is ordering EPA to quickly respond to environmentalists' objections to former Administrator Scott Pruitt's reversal of an Obama-era proposed ban on the pesticide chlorpyrifos, an answer that would clear the way for critics of the decision to challenge the agency in courts on the merits of the reversal.

##### **EPA's CCS Reversal In NSPS Could Face Hurdles From Technology Gains**

A slew of environmentalists, legal experts and states are citing mounting evidence that carbon capture and storage (CCS) technology is becoming increasingly advanced, arguing that poses a major hurdle to EPA's attempt to no longer base its greenhouse gas targets for new coal plants on CCS with partial capture.

##### **Draft EPA FY20 Guidance Floats Plans For New Water, Enforcement Metrics**

Draft EPA guidance for implementing its pending fiscal year 2020 budget includes plans from the enforcement and water offices to craft and track an array of new compliance metrics they say will provide more details on the extent of environmental violations and other factors, which will lead to more-specific policy goals for core agency programs.

##### **Democrats Urge 2020 Presidential Candidates To Prioritize Climate Change**

Key Democratic lawmakers are urging their party's presidential candidates to make climate change a top issue in the 2020 election, compared to its lower-tier status in prior campaigns, arguing that would draw a sharp contrast with President Donald Trump and build a groundswell of public support for major climate mitigation policies.

## **EPA Urges Court To Reject Challenge To Mercury Inventory, Waivers**

EPA is urging a federal appellate court to dismiss a suit brought by states and environmentalists seeking to strengthen the agency's June 2018 mercury inventory and repeal the categories of reporting waivers it included, arguing that its rule met requirements that Congress included in its reform of the Toxic Substances Control Act (TSCA).

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### **Daily Feed**

#### **EPA finance chief notes workforce challenges**

Chief Financial Officer Holly Greaves told an EPA advisory panel April 18 that rising employment costs combined with a limited budget makes maintaining an adequate workforce challenging.

#### **EPA sends final AFO air reporting waiver for OMB review**

Environmentalists are likely to sue over the final air reporting rule waiver for animal feeding operations once EPA issues it, based on their long-running claims that the exemption is unlawful.

#### **After oral arguments, FERC seeks to clarify key NEPA misstatement**

The commission says one of its attorneys "misspoke" regarding the commission's stance that it cannot be deemed the "legally-relevant cause of downstream emissions" under NEPA when it lacks jurisdiction over the fuel distributor.

#### **Ewire: Kentucky lawmaker sees no 'upside' in AOC coal mine visit**

In today's Ewire: Rep. James Comer (R-KY) is warning his fellow Republicans against "picking on" Rep. Alexandria Ocasio-Cortez (D-NY) over coal issues and her Green New Deal climate plan.

#### **Industries defend EPA policy easing air permitting requirements**

A broad coalition of industry organizations in a new legal filing is backing an EPA policy that critics say will make it easier for companies to avoid onerous and expensive air permit reviews.

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